

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle
Harbor Springs, MI 49740
November 6, 2011

Closed Session: yes

Call to Order: Meeting was called to order at: 9:09 a.m.

Opening Ceremony: Carla McFall

Council Present: Legislative Leader Gerald V. Chingwa, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Melvin L. Kiogima, Councilor Kevin Gasco, Councilor Bill Denemy, Councilor Winnay Wemigwase

Absent: none

Council Present after John Keshick III Oath of Office: Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor John Keshick III, Councilor Melvin L. Kiogima, Councilor Kevin Gasco, Councilor Bill Denemy, Councilor Winnay Wemigwase

Absent: none

Legislative Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount, General Counsel James Bransky

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Natural Resource Director Doug Craven, Planning Director Bryan Gillett, Vice-Chair Julie Shananaquet, Annette VanDeCar

Judicial Branch Present: Associate Judge Kronk, Court Clerk Cynthia Brouckaert

Public: Alice Yellowbank, Linda Gokee, Theresa Keshick, Jordan Bussey, Mary Keshick, Brooke Robinson, Thomas Teuthorn, Matt Davis, Carla McFall, Tom Teuthorn, Alice Hughes, Yvonne McShane, Jon Shawa, Christine Shomin, Michele Keshick, Andrew Stich, Dill Denemy Sr., Nancy Kiogima, Heidi Bosma, Merle Carson, Arlene L. Foreman, Jasmine Jackson, Carol Quinones, Karah Keshick

Invited Guests: Lydia Hofer, Noel LaPorte

Motion made by Councilor Bardwell and supported by Councilor Denemy to adopt the agenda with additions for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

1
2 Motion made by Councilor Kiogima and supported by Treasurer Bott to approve
3 the minutes of October 23, 2011 as presented.

4 Vote: 8 - Yes, - No, 1- Abstained (Councilor Keshick III), – Absent

5 Motion carried.

6 Elder Comments: Alice Yellowbank spoke with concern regarding Tribal
7 Preference and in support of Melvin L. Kiogima for Legislative Leader.

8
9 Nominations for Legislative Leader: Melvin L. Kiogima and Winnay Wemigwase.

10
11 Melvin L. Kiogima elected by Tribal Council as Legislative Leader.

12
13 Nominations for Secretary: Regina Gasco Bentley, Winnay Wemigwase, Belinda
14 Bardwell

15
16 Regina Gasco Bentley elected by Tribal Council as Secretary.

17
18 Nominations for Tribal Treasurer: John Bott, Kevin Gasco

19
20 John Bott elected by Tribal Council as Tribal Treasurer

21
22 Motion made by Councilor Bardwell and supported by Councilor Keshick III to
23 accept the Appropriations and Finance Committee Report as presented by
24 Legislative Leader Kiogima Committee Member for November 6, 2011.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

26 Motion carried.

27
28 Motion made by Councilor Otto and supported by Councilor Keshick III to
29 approve the letter of agreement with Rehmann dated November 1, 2011, to
30 provide management consulting services in the amount not to exceed
31 \$10,000.00 and authorizes the Treasurer to sign such agreement and approve
32 supplemental funding in the amount of \$10,000.00 to be added to the Legislative
33 budget to come from Prior Period Funds.

34 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

35 Motion carried.

36
37 10:30 a.m. Recess called.

38 10:50 a.m. Meeting reconvened.

39
40 Motion made by Councilor Denemy and supported by Councilor Bardwell to
41 amend the agenda to include the appointment to the Appropriations and Finance
42 Committee.

43 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor
44 Wemigwase)

45 Motion carried.

1 Motion made by Secretary Gasco Bentley and supported by Councilor
2 Wemigwase to appoint Councilor Denemy and Councilor Gasco to the
3 Appropriations and Finance Committee.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

7 Motion made by Legislative Leader Kiogima and supported by Treasurer Bott to
8 appoint Councilor Wemigwase, Councilor Otto, and Councilor Bardwell to the
9 Ethics Committee.

10 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

11 Motion carried.

13 Motion made by Councilor Denemy and supported by Councilor Bardwell to
14 appoint Councilor Keshick III, Councilor Gasco, and Councilor Otto the Gaming
15 Authority Committee.

16 Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 – Absent

17 Motion carried.

19 11:47 a.m. Public Comment opened: Andrew Stich spoke regarding the
20 Executive Economic Development Commission, and the proposed Council
21 Economic Development Committee proposed Legislation. Bill Denemy, Sr.,
22 spoke in support of Citizen Concerns to be involved on Executive Committees in
23 lieu of Council committees. Michele LaCount spoke in support of Council
24 providing web updates and hearing concept papers to Citizens for clarity with
25 regard to Council intentions.

26 12:01 p.m. Public comment closed.

28 Motion made by Councilor Denemy and supported by Councilor Keshick III
29 to approve the modified Mtiigwaakiis Site Plan, Revision #7 of October 22, 2011,
30 as submitted by Planning Director Bryan Gillette, specifically for the placement of
31 a windmill on the west side of the property.

32 Vote: 8 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 0 – Absent

33 Motion carried.

35 12:05 p.m. Lunch recess called.

36 1:30 p.m. Meeting reconvened.

38 Noel LaPorte, LTBB's Michigan Lobbyist update.

39 Lydia Hofer, LTBB's Federal Lobbyist update.

41 3:12 p.m. Public Comment opened. No comments.

42 3:13 p.m. Public Comment closed.

43 3:13 p.m. Recess called.

44 3:29 p.m. Meeting reconvened.

46 Motion made by Treasurer Bott and supported by Councilor Otto to form an
47 Ad-Hoc Committee Consisting of Frank Ettawageshik, Regina Gasco Bentley

1 and Winnay Wemigwase to create the after-words for the McClurken report and
2 submit same to Tribal Council for approval by the end of 2011.

3 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

4 Motion carried.

5
6 4:08 p.m. Motion made by Councilor Otto and supported by Councilor
7 Wemigwase to go into closed session for confidential business matters.

8 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

9 Motion carried.

10
11 4:30 p.m. Motion made by Legislative Leader Kiogima and supported by
12 Councilor Wemigwase to return to open session.

13 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

14 Motion carried.

15
16 Motion made by Treasurer Bott and supported by Councilor Gasco to accept the
17 Land and Reservation Committee report as presented by Legislative Leader
18 Kiogima committee Chairperson.

19 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

20 Motion carried.

21
22 Motion made by Treasurer Bott and supported by Councilor Bardwell to appoint
23 Secretary Gasco Bentley, Legislative Leader Kiogima, Councilor Wemigwase to
24 the Land and Reservation Committee.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

26 Motion carried.

27
28 Motion made by Councilor Denemy and supported by Councilor Bardwell to
29 accept the Legal and Legislative Committee verbal report from Committee
30 person Secretary Gasco Bentley.

31 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

32 Motion carried.

33
34 Motion made by Secretary Gasco Bentley and supported by Legislative Leader
35 Kiogima to approve the Judicial and Prosecutorial Appointments Policy and
36 Procedures.

37 Vote: 8 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 0 – Absent

38 Motion carried.

39
40 Motion made by Secretary Gasco Bentley and supported by Councilor
41 Wemigwase to approve the move of the following: Tribal Court, Human
42 Services, Prosecutor and Law Enforcement to 911 Spring Street, Petoskey, MI.

43 Vote: 6 - Yes, 1 – No (Councilor Otto), 2 – Abstained (Councilor Bardwell,
44 Councilor Keshick), 0 – Absent

45 Motion carried.

1 Motion made by Councilor Bardwell and supported by Councilor Gasco to
2 appoint Secretary Gasco Bentley, Councilor Wemigwase, Councilor Otto to the
3 Legal and Legislative Committee.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

7 Motion made by Legislative Leader Kiogima and supported by Secretary Gasco
8 Bentley to post to the Legislative Calendar the Economic Development Draft
9 Statute, Office of Citizens Legal Assistance Draft Statute, Odawa Gaming
10 Enterprise Management Draft Statute, Odawa Gaming Enterprise Management,
11 Inc. Corporate Charter.

12 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

13 Motion carried.

15 Motion made by Councilor Otto and supported by Councilor Bardwell to accept
16 Councilor Bardwell Tribal Council member verbal and written report for
17 November 6, 2011.

18 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

19 Motion carried.

21 Motion made by Councilor Otto and supported by Councilor Bardwell to accept
22 Legislative Leader Kiogima's report for November 6, 2011.

23 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

24 Motion carried.

26 Motion made by Councilor Denemy and supported by Councilor Gasco to accept
27 Legislative Services Attorney Budnick's verbal report for November 6, 2011.

28 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

29 Motion carried.

31 Motion made by Councilor Otto and supported by Secretary Gasco Bentley to
32 approve and authorize the Legislative Leader to sign the stipulation to dismiss
33 case no. C-120-0411.

34 Vote: 6 - Yes, 0 - No, 1 – Abstained (Councilor Keshick III), 2 – Absent Councilor
35 Wemigwase, Treasurer Bott)

36 Motion carried.

38 5:52 p.m. Motion made by Legislative Leader Kiogima and supported by
39 Councilor Gasco to go into closed session for legal.

40 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

41 Motion carried.

43 6:13 p.m. Motion made by Councilor Bardwell and supported by Councilor
44 Wemigwase to return to open session.

45 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

46 Motion carried.

1 Motion made by Councilor Bardwell and supported by Councilor Wemigwase to
2 accept Enjiinakneng verbal report for November 6, 2011.

3 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

4 Motion carried.

5
6 Motion made by Secretary Gasco Bentley and supported by Legislative Leader
7 Kiogima to approve Enrollment List A - Eligible for Citizenship dated October 26
8 for a total of 5.

9 Vote: 8 - Yes, 0 - No, 1 - Abstained (Councilor Keshick), 0 – Absent

10 Motion carried.

11
12 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell
13 to approve List B Declination In-Eligible dated October 26 for a total of 4.

14 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

15 Motion carried.

16
17 Motion made by Councilor Gasco to appoint Allie Maldonado to the position of
18 Chief Judge for a 4 year term.

19 Motion withdrawn.

20
21 Motion made by Councilor Denemy and supported by Councilor Gasco to
22 approve and authorize the Legislative Leader to negotiate contracts within the
23 parameters of the Constitutionally Mandated Compensation Statute for the
24 appointed positions of Judge, Associate Judge, Appellate Justices and
25 Prosecutor and submit same to Tribal Council for approval.

26 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

27 Motion carried.

28
29 Motion made by Councilor Gasco and supported by Councilor Bardwell to
30 appoint Allie Maldonado for a 4 year term to the position of Chief Judge.

31 Vote: 7 - Yes, 1 – No (Councilor Wemigwase), 1 – Abstained (Councilor

32 Keshick), 0 – Absent

33 Motion carried.

34
35 6:34 p.m. Motion made by Councilor Bardwell and supported by Councilor
36 Wemigwase to adjourn.

37 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

38 Motion carried.

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42
43 These Minutes have been read and approved as written (or) corrected: (delete
44 either the word "written" or "corrected" as pertains to how the minutes were
45 approved.)

DRAFT